

2011 Tax Sale Notice

NOTICE OF PUBLIC TAX SALE OF REAL ESTATE IN FREDERICK COUNTY, MARYLAND

INTERNET-BASED TAX SALE
MONDAY, MAY 9, 2011

A Tax Sale does not automatically convey title to a purchaser; there are legal procedures that must be satisfied before becoming the owner of an auctioned property. The current owner may redeem by paying the taxes owed. Until the time a deed is issued to the Tax Sale purchaser, the current owner maintains ownership of the property.

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Notice is hereby given that the following is a list of amounts due and in arrears to Frederick County, municipal corporations in Frederick County, and to the State of Maryland. The list of real estate upon which amounts are due and in arrears is arranged in election district order. The property owners listed are those that appear on the County tax rolls at the time of publication.

Notice is hereby given that, if these amounts and interest thereon are not paid in the form of CASH, CASHIER'S CHECK, CERTIFIED CHECK OR MONEY ORDER not later than 4:00 p.m., Friday, May 6, 2011, by the current property owners, the undersigned will accept sealed bids via an Internet-based auction for the properties listed below. Bids will be received in accordance with the instructions listed below.

The list of amounts due and in arrears, and this notice of sale, is published in accordance with the provisions of the State of Maryland and the laws of Frederick County, Maryland. The Director of Treasury publishes the notice of tax sale to inform the property owners that the listed properties are to be sold in order to collect unpaid taxes. Owners can prevent the sale by paying the amounts due at the Treasury Department at 30 North Market Street, Frederick, MD 21701, not later than 4:00 p.m., Friday, May 6, 2011. After this date, additional charges must be paid to redeem the property.

During the advertising period, April 17th through May 6th, properties will be removed from the list as payments are received from taxpayers. Therefore, the final property list will contain fewer properties than were originally advertised. The website will also be updated weekly. The final update on the website will occur after 4:00 p.m. on Friday, May 6th.

There will be a notation on the website indicating the final upload has been completed.

The tax sale is open to the public. PROSPECTIVE BIDDERS SHOULD INVESTIGATE THE PROPERTIES. There is no warranty, expressed or implied, that a property has a marketable title, that it contains the area of land described therein, that the property does not contain faults that would be fatal to tax sale foreclosure, or that the true market value of the property bears any relationship to the assessment stated therein. The purchaser agrees to assume all risks in regard to these and all other matters pertaining to the property, its condition, title, location, or marketability and each and every property at the tax sale is sold "AS IS". Purchasers will be entitled to a certificate of sale as required by law.

In the event a tax sale of a particular property is subsequently invalidated by the Collector, the tax sale purchaser will receive a refund of the amount paid at tax sale, but will receive NO redemption interest, or reimbursement of attorney fees, title search or other costs.

Frederick County has adopted new procedures for selling properties at tax sale. If you are planning to participate in the sale, please read the procedures as they have changed significantly from prior years.

The County shall offer tax lien certificates on individual properties via an Internet-based auction using the high bid premium method as provided for in the Annotated Code of Maryland, Tax Property Article, Section 14-817. No property will be sold for less than the advertised price (taxes). No later than 5:00 p.m. the day of the tax sale, the bidder/purchaser is required to pay the full amount advertised (taxes) plus any high bid premium.

The terms of the sale are as follows---the purchaser shall complete the following steps prior to being permitted to bid in the auction:

1. Register on www.frederickcountymdntaxsale.com No mail-in or email registrations will be accepted. Registration will begin on **April 1, 2011 and will end April 29, 2011**. All steps in the bidder registration process must be completed by 4:00 p.m. Local Time on **April 29th**.
2. Pay **\$100.00** registration fee via ACH Debit. The registration fee is refundable and will be returned via ACH. Payment in USD (United States Dollars) required.
3. Enter a valid bank account from which your purchases will be debited. The same bank account used to pay the registration fee will be debited for certificates purchased following the close of the sale.
4. Submit a budget to cover the cost of your anticipated purchases. **The budget you submit represents the maximum amount allowable for the purchase of certificates during the auction. Taxes as well as high bid premiums will be applied against your submitted budget. If a successful bid plus the total amount due on certificates already awarded to you exceeds your budget, you will not be awarded that certificate. You may change your submitted**

budget at any time prior to the close of the auction by entering a new budget amount in the "New Budget" field on the registration form. Funds may be verified for both the initial and any increased budgets submitted.

5. Accept all terms in the "Tax Sale Notice" and the "Information and Procedures".

All bids shall be submitted on the www.frederickcountymdtxsale.com website. Bids can be submitted beginning May 1, 2011. Bids will be awarded on May 9, 2011 in accordance with the batch listings that will be posted on the website. Batches are subgroups of the advertised list of properties that serve as a means of organizing tax certificates for the purpose of facilitating bid submission. Each tax certificate in each batch is offered independently of every other tax certificate in that batch. A unique closing time is established for each batch.

Five batches of liens on properties will be offered for bid throughout the day on May 9, 2011. The first batch to be offered will begin at 10:00 a.m. Local Time and will close at 11:00 a.m. The second batch will begin at 11:00 a.m. and close at 12:00 p.m., and so on until all properties have been auctioned. The final batch offered at 2:00 pm will offer all properties for sale that were not sold in the batches offered earlier in the auction. Acceptance of bids for the final batch ends at 3:00 p.m. Local Time.

The bid may be a dollar value or it may be in the form of a bid factor (a percentage of the assessed value). For example, a multiple bid factor of .46 would indicate that the bidder is bidding 46% of the assessed value of the property.

All bids must be made in good faith. Should a successful bidder not make full payment for any or all of the certificates that are awarded in the tax sale, including any associated High Bid Premiums, they will **not be awarded any certificates** and they may be prohibited from participating in future tax sales. The certificates will be awarded to the next highest bidder. All successful bidders/purchasers must pay for their properties, including the high bid premium, by 5:00 p.m. the day of the tax sale.

In the case where the bids are identical for the same property or properties, the winning bid will be awarded to the bidder with the first submission of the identical bid.

Pursuant to Tax Property Article, section 14-817(b), the County has established a high bid premium for all certificates sold by a sealed bid process. This high bid premium is 20% of the amount by which the bid exceeds 40% of the property's assessed value. For examples, go to the website's home page and click on "START HERE" then click on "BID PREMIUM". The high bid premium is payable at the same time the successful bidder pays the tax sale amount.

The County will refund the high bid premium, without interest, to the holder of the tax sale certificate upon redemption of the property or to the plaintiff in an action to foreclose the right of redemption upon delivery of a tax sale deed for the property for which the high bid premium was paid. The high bid premium is not refundable after the time required (under Section 14-833 of the Tax-Property Article) for the filing of action to foreclose the right of redemption, if there has been no redemption and if an action to foreclose the right of redemption has not been filed within that time. In addition, the high bid premium will not be refunded in the event a tax sale foreclosure suit is dismissed and there has been no redemption.

On redemption, the plaintiff or the holder of the certificate of sale may be reimbursed for attorney's fees and expenses incurred in any action or in preparation for any action to foreclose the right of redemption as specifically provided in Section 14-843 of the Tax Property Article.

Pursuant to Section 14-843(b)(1) of the Tax Property Article, the plaintiff or holder of the certificate "is not entitled to be reimbursed for expenses incurred within four months after the date of sale" unless an expedited foreclosure suit has been authorized in accordance with Section 14-843(b)(2)(i) and Section 14-833(e) of the Tax Property Article.

Upon request by the County and/or the person redeeming, purchaser agrees to provide an itemized bill of charges levied in accordance with the above paragraph. Return of the bid premium to the purchaser may be withheld until the itemized bill is received.

The tax sale purchaser and his/her attorney agree to:

1. Provide to the Treasury Department the number of a telephone that will be answered during business hours by a staff member.
 2. Provide to the party attempting to redeem the property from tax sale, an itemized list of the full amount due for legal fees and expenses within two business days of the request.
- The tax sale purchaser and his/her attorney also agree to provide to the redeeming party a written release immediately upon receipt of the fees and expenses. A copy of which shall be faxed immediately to the Treasury Department. Failure of the purchaser or his/her attorney to comply with these requirements may result in the purchaser being barred from future sales.

All bidders are required to monitor their own "ACCOUNT SNAPSHOT" to view their successful bids and to ensure funds for all successful bids are available for payment at the close of the auction. Bidders/purchasers must pay for all certificates awarded, including the high bid premium, by ACH debit not later than 5:00 p.m. the day of the auction. The same bank account used to pay the registration fee will be automatically debited for the total amount

due for all certificates awarded. Purchasers must ensure the funds are available by 5:00 p.m.

The County will confirm with its bank the receipt of the payment.

If, in the very unlikely event, there should be complications which cause the website to be taken down prior to completion of the auction, all bidders will be notified via email, text message or telephone (information provided by the bidder on the bidder registration form) when the site is available and the auction resumes.

Questions regarding use of the website and the online bidding process must be directed to Technical Support @1-877-895-4367 (Toll Free) or emailed to support@taxlienbids.com. Questions regarding the tax sale policies may be directed to the Treasury Department of Frederick County at 301-600-1111 or emailed to treasuryquestions@frederickcountymd.gov.

LORI L. DEPIES, CPA
Director of Treasury
Frederick County, Maryland